



Merced Wild and Scenic River Revised Comprehensive Management Plan Supplemental Environmental Impact Statement

What is the Merced Wild and Scenic River Comprehensive Management Plan?

In 1987, the U.S. Congress designated the Merced River a Wild and Scenic River to protect the river's free-flowing condition and to protect and enhance its unique values for the benefit and enjoyment of present and future generations. The National Park Service manages 81 miles of the Merced River, encompassing both the main stem and the South Fork in Yosemite National Park and the El Portal Administrative Site.

Pursuant to the Wild and Scenic Rivers Act requirements, the National Park Service prepared and issued the *Merced Wild and Scenic River Comprehensive Management Plan and Final Environmental Impact Statement* (Merced River Plan/FEIS) in June 2000. The specific purpose of the plan is to provide direction and guidance on how best to manage visitor use, development of lands and facilities, and resource protection within the river corridor. The Merced River Plan serves as the template for providing general direction and guidance for future management decisions and therefore serves as a companion document to the park's 1980 *General Management Plan*.

Why is the plan being revised?

After it was released to the public in June 2000, the Merced River Plan went through a lengthy litigation process. The validity of the plan was challenged in the U.S. District Court based on contentions that the National Park Service failed to prepare a valid comprehensive management plan (CMP) to protect and enhance the natural and cultural values of the Merced River, thereby violating the Wild and Scenic Rivers Act.

The U.S. Court of Appeals for the Ninth Circuit ultimately held that the Merced River Plan "(1) inadequately addresses user capacities by failing to set the 'maximum quantity of use' for the river area and (2) too narrowly defines the boundaries for the El Portal segment..." In an October 27, 2003 opinion, the Court clarified their ruling stating that the NPS must "...prepare a new or revised CMP that adequately addresses user capacities, and properly draws the river boundaries at El Portal."

As a result of the court ruling, the NPS will prepare the *Merced Wild and Scenic River Revised Comprehensive Management Plan and Supplemental Environmental Impact Statement* (Revised Merced River Plan/SEIS). This plan revises the June 2000 *Merced Wild and Scenic River Comprehensive Management Plan and Final Environmental Impact Statement* (Merced River Plan/FEIS). The specific purpose of the SEIS will be to address user capacities in the Merced River corridor, reassess the river boundary in El Portal, and amend the park's *General Management Plan*.

The Ninth Circuit Court's decision concluded that the June 2000 document contained sufficient data for a programmatic plan. Thus, the plan's other management elements will not be specifically revisited.

How will the revised plan address user capacity?

The Revised Merced River Plan/SEIS will build on the foundation established in the Merced River Plan/FEIS with a user capacity program that is consistent with the Wild and Scenic Rivers Act and Secretarial Guidelines.

The approach outlined in the original Merced River Plan addresses visitor use within the Merced River corridor through adoption of a Visitor Experience and Resource Protection (VERP) program. (VERP is the National Park Service's standard approach to addressing user capacity.) Within the VERP framework, user capacity is defined as: "The type and level of visitor use that can be accommodated while sustaining the desired resource and social conditions that complement the purposes of the park."

(continued next page)

**User Capacity
(continued)**

VERP establishes desired conditions (identified as management zones in the Merced River Plan) for both the quality of resources and the visitor experience. Based on these desired conditions, VERP identifies the types of visitor use that are appropriate, with particular focus on the protection of the Merced River's Outstandingly Remarkable Values. Standards and indicators are then developed, which are part of an ongoing monitoring program that measures impacts relating to visitor use. Should a standard be exceeded, management action would be triggered to correct or prevent degradation. (For more information, see VERP Fact Sheet.)

However, the Merced River Plan presented only examples of standards and indicators and committed to fully implementing VERP within five years. The Court's opinion stated that this "fail[ed] to yield any actual measure of user capacities, whether by setting limits on the specific number of visitors, by monitoring and maintaining environmental and experiential criteria under the VERP framework, or through some other method." The Court affirmed that VERP may be used "to fulfill the user capacities requirement. However the Wild and Scenic Rivers Act does require that the VERP be implemented through the adoption of quantitative measures sufficient to ensure its effectiveness as a current measure of user capacities."

The range of alternatives presented in the Revised Merced River Plan/SEIS will consider VERP along with a variety of other user capacity methods to fulfill the requirements of the Wild and Scenic Rivers Act.

How will the revised plan address the boundary in El Portal?

A range of alternatives will present a river boundary for the El Portal segment that ensures the protection and enhancement of the very Outstandingly Remarkable Values for which the river was designated Wild and Scenic. The Merced River Plan/FEIS establishes a river corridor boundary for El Portal segments of the river that includes the greater of the River Protection Overlay or the 100-year floodplain, plus adjacent wetlands and meadows.

Within this segment, Outstandingly Remarkable Values will be located and evaluated in order to reassess the river boundary at El Portal.

What is the timeline for this planning effort?

- Public scoping ended on September 10, 2004.
- The draft plan and SEIS should be available for review in early 2005. At that time, a series of public meetings will be held throughout California.
- The planning process for the Revised Merced River Plan/SEIS is expected to be completed in July 2005.

Public Participation

Public participation in the planning process is critical. Here are some ways to stay involved in the development of the *Revised Merced River Plan/SEIS*:

- Request a copy of the draft document for review in early 2005 (specify print version or CD)
- Send your email address to sign up for the park's periodic e-newsletter.
- Add your name to the Planning Mailing List to receive planning-related announcements.
- Attend a National Park Service open house, regularly held in the Yosemite Valley Visitor Center East Auditorium. (Check the park's planning web site at www.nps.gov/yose/planning for a schedule of dates and times.)

Mail: Superintendent
Attn: Revised Merced River Plan/SEIS
P.O. Box 577
Yosemite, CA 95389
Fax: 209/379-1294
Email: Yose_Planning@nps.gov

For more information on this and other Yosemite National Park projects, visit the park's planning web site at www.nps.gov/yose/planning.